

Office of Professional Accountability (OPA)

Commendations & Complaints Report

December 2002

Commendations:

Commendations Received in December: 27

Commendations Received to Date: 1,416

Rank	Summary
Officer	Thank you for conducting such a thorough investigation of the car prowler that pulled a knife on me when I confronted him
Lieutenant & 8 Officers	Great investigation leading to charges against all involved in robbery
2 Officers	Thank you for giving us ride from Safeco Field to First Ave where we were able to catch a bus home after the game
Lieutenant & 2 Sergeants	Congratulations from Chief Kerlikowske to those who were recognized at 2002 Red Cross Heroes breakfast for saving three lives this summer
2 Officers	Good job on quick apprehension of very dangerous felon
Civilian	Thank you so much for your efforts to rescue and return my portfolio
Sergeant	Thank you for your quick and efficient efforts in explaining auto theft and impoundment procedures of stolen vehicles
2 Sgt's & 2 Officers	Thank you for helping me with my research and answering my questions
Detective	Thank you for your outstanding efforts in the apprehension of two suspects and for collecting evidence
10 Officers	North Idaho College would like to thank all the officers that gave our students ride-alongs and enlightened them on what it is really like to be an officer
4 Civilians	Bainbridge Island's Police Department thanks those who shared information regarding training and operational protocol for Parking Enforcement Officers
4 Officer	Great job on the case; I was impressed with the way the case was tried
2 Officers	Good job on pursuing investigation that led to an arrest outside city limits; great follow-through
Lieutenant	Nominated for Chief's Award
2 Officers	Very impressed with the officers' efforts and professionalism regarding the strong arm robbery
2 Officers	Thanks and much gratitude to the officers that responded to my 911 call
Detective	Great job, you played a very key role in uncovering the money laundering and sex ring scandal
1 Sgt. & 1 Officer	Thank you for volunteering at Children's Hospital
1 Sgt. & 5 Officers	Thank you for assisting the City of Shoreline in apprehending a dangerous felon
Civilian	Thanks to the 911 dispatcher who took my call, you were very helpful
4 Officers	Thank you for the ride-alongs
Officer	Thank you for helping us park at Benaroya Hall
3 Officers	Thank you for assisting me through that very traumatic situation
Officer	Thank you for helping me get my car out of the intersection after it died
3 Officers	The Federal Way Police Dept. would like to thank SPD for providing training to their employees
Officer	Officer was very professional and courteous
Officer	Thank you for helping patrol the Pike Place Market area; your presence makes a difference

December 2002 Closed Cases:

Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.

Cases are reported by allegation type. One case may be reported under more than one category.

UNNECESSARY FORCE

Synopsis	Action Taken
Complainant alleged the named officer used unnecessary force while detaining the subject for investigation of auto theft.	Investigation showed that the complainant became irate at the detention, and kicked out the window of the patrol car. Reasonable force was used to restrain the complainant until he could be transported to the precinct. The force used was reported and documented. Finding – EXONERATED.
Complainant alleged named officer grabbed her forearms and pushed her against the wall of an ambulance.	The complainant's assertions varied and were not consistent with medical records. Civilian and officer witnesses did not support her account. Finding – UNFOUNDED.
Complainant alleged named officer used unnecessary force when arresting her husband.	Investigation showed arrestee was resisting, hostile, and combative. Independent witnesses indicate arrestee lunged at the officer. Force used to effect arrest was reported and documented. Finding – EXONERATED.
Complainant alleged that named officer used unnecessary force on her son during his arrest.	Civilian and officer witnesses agree that the subject was not complying with the named officer's request to lay on the floor, and that a foot push, rather than a kick, was used to propel the subject onto his stomach. The force used was reported to, screened, and documented by a supervisor at the time of the incident. Finding – EXONERATED.
Complainant alleged that, when contacted for an investigative traffic stop, the named officer used derogatory language and swore at him, illegally searched his vehicle, used	The complainant did not cooperate further in the investigation. A witness who was interviewed did not report any use of force or profanity. The evidence cast doubt on the credibility of both the complainant and witness. Finding – UNFOUNDED.

unnecessary force, and refused to identify himself or other officers at the scene.	
Complainant arrested in buy/bust alleged unnecessary force in his arrest.	Investigation revealed that reasonable force was used and documented in the arrest of the suspect who ran from officers. The complainant had credibility problems and did not cooperate with the investigation. Finding – EXONERATED.
Anonymous complainant alleged the named officer used unnecessary force during an arrest.	The details provided by the anonymous complainant differed with those provided by the subject. Also, the injuries reported by the anonymous complainant were not consistent with photos taken of the subject. Finding – EXONERATED.
Anonymous complainant alleged that several officers used unnecessary force during an investigative stop that led to several arrests.	Full investigation of incident showed that force used and documented and consisted of approved use-of-force tactics and techniques. Finding – EXONERATED.

FAILURE TO IDENTIFY SELF

Synopsis	Action Taken
Complainant alleged that, when contacted for an investigative traffic stop, the named officer used derogatory language and swore at him, illegally searched his vehicle, used unnecessary force, and refused to identify himself or other officers at the scene.	The complainant did not cooperate further in the investigation. A witness who was interviewed did not report any use of force or profanity. The evidence cast doubt on the credibility of both the complainant and witness. Finding – UNFOUNDED.

MISUSE OF AUTHORITY

Synopsis	Action Taken
Complainant alleged she was subject to	Investigation showed contacts by officer were appropriate based on complainant's activity.

unwarranted contacts by officer because of her prior criminal history.	Finding – UNFOUNDED.
Chain of command alleged named officer was inappropriately involved, at the request of the parent, in discipline of a juvenile with a history of repeat runaways.	Investigation showed that named officer's conduct was well-intentioned and approved of by juvenile's mother, but nonetheless inappropriate while undertaken in his capacity as a police officer. Finding – SUSTAINED.

SAFEGUARDING/MISHANDLING EVIDENCE/PROPERTY

Synopsis	Action Taken
Complainant alleged officer took \$40 from him when he was arrested on a warrant.	The investigation showed the allegation was false. Finding – ADMINISTRATIVELY UNFOUNDED.
Complainant alleged the named officer took his I.D. and failed to return it.	The named officer inadvertently failed to return the I.D., but after discovering this, reported it to his supervisor and then mailed the I.D. to the complainant. Finding – EXONERATED.

CONDUCT UNBECOMING AN OFFICER

Synopsis	Action Taken
Complainant alleged an officer used derogatory language and profanity during a traffic stop and subsequent arrest for DWLS.	The investigation could not substantiate nor disprove this allegation. Finding – NOT SUSTAINED.
Complainant alleged named officer was rude to her when he grabbed her arm and led her back to the crime scene.	Complainant's statement was contradicted by her husband. Evidence showed the officer held the complainant by the elbow to escort her back to the scene. Finding – EXONERATED.
Complainant alleged that, when contacted for an investigative traffic stop, the named officer used derogatory language and swore at	The complainant did not cooperate further in the investigation. A witness who was interviewed did not report any use of force or profanity. The evidence cast doubt on the credibility of both the complainant and witness. Finding – UNFOUNDED.

him, illegally searched his vehicle, used unnecessary force, and refused to identify himself or other officers at the scene.	
Complainant alleged officers detained him and his companions for looking like drug dealers, made rude comments about his deceased brother, and made a threatening remark.	The complainant did not participate further in the investigation. The companions' statements were inconsistent. The named and witness officers denied any threatening remarks, and stated that the named officer made a sympathetic comment when he learned the complainant's brother had died. Finding – UNFOUNDED.
Complainant alleged named officer made inappropriate comments during a contact and arrest for prostitution loitering.	Evidence gathered in investigation showed possible motivation by complainant to fabricate charge, and she failed to participate in investigation process. Finding – UNFOUNDED.
Complainant alleged named officer removed a coffee cup containing a liquid from the subject and deliberately splashed the liquid on the subject's clothing.	Investigation showed that the named officer had reason to believe the worn paper cup contained an alcoholic beverage. The officer and the subject struggled briefly over the cup, causing the contents of the cup to splash onto the subject. Finding – EXONERATED.
Anonymous complainant alleged that an officer used inappropriate, profane language during an investigative stop that led to three arrests.	The named officer denied the remarks, and no other witness reports hearing him make the remark. Finding – NOT SUSTAINED.

USE OF DEROGATORY LANGUAGE

Synopsis	Action Taken
Complainant alleged that, when contacted for an investigative traffic stop, the named officer used derogatory	The complainant did not cooperate further in the investigation. A witness who was interviewed did not report any use of force or profanity. The evidence cast doubt on the credibility of both the complainant and

language and swore at him, illegally searched his vehicle, used unnecessary force, and refused to identify himself or other officers at the scene.	witness. Finding – UNFOUNDED.
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FAILURE TO REPORT USE OF FORCE

Synopsis	Action Taken
Chain of command alleged named officer and sergeant had not reported named officer's involvement in physical discipline of juvenile.	Investigation showed conduct was not force requiring reporting. Finding for Named Officer – UNFOUNDED. Finding for Sergeant – Converted to Supervisory Referral for Failure to Take Appropriate Action.

Definitions of Findings:

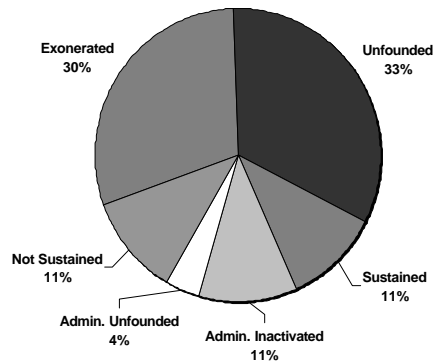
- **Sustained:** The allegation of misconduct is supported by the evidence.
- **Not Sustained:** The evidence neither proves nor disproves the allegation of misconduct.
- **Exonerated:** The event described did occur, and the actions taken by the officer(s) were lawful and proper.
- **Unfounded:** The allegation of misconduct did not occur as described.
- **Administratively Unfounded or Administratively Inactivated:** The case has a fundamental legal or procedural defect or the involved personnel cannot be identified. Inactivated cases may be re-opened if new information is received.

Status of OPA Contacts to Date:

2001 Contacts

Contact Logs	626
Cases Assigned for Investigation (IS; LI)	263
Cases Closed Through Nov 30, 2002	226
Cases with a Sustained Allegation	29 (13%)

CHART A
Dispositions of Allegations in Completed Investigations
2001 Cases
N = 268 Allegations in 226 cases



2002 Contacts

	December 2002	Jan. - Dec. 2002
Contact Logs	50	573
Cases Assigned for Supervisory Review	11	104
Cases Assigned for Investigation (IS; LI)	17	201
Cases Closed	14	92
Cases with a Sustained Allegation	2 (14%)	15 (16%)
Commendations	27	1,416

CHART B
Dispositions of Allegations in Completed Investigations
2002 Cases
N=164 Allegations in 92cases

